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Attorneys for Defendant BBS Technologies, Inc.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

Gary Odom, an Oregon Resident,

Plaintiff,

v.

ATTACHMATE CORPORATION, et
al.,

Defendants.

Case No.: 3:09-CV-00406-AC

DEFENDANT BBS TECHNOLOGIES,
INC.'S UNOPPOSED MOTION TO
DISMISS COUNTERCLAIM
WITHOUT PREJUDICE

PATENT CASE

Pursuant to Local Rule 7-1, counsel for BBS Technologies, Inc. emailed Plaintiff on May 3, 2010 to arrange conferral on this Motion. The email informed the Plaintiff that BBS Technologies, Inc. intended to move for dismissal without prejudice of its counterclaim. Plaintiff responded with no opposition to this Motion.

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On March 12, 2010, the Court entered an Order dismissing the Plaintiff's Complaint without prejudice. Defendant BBS Technologies, Inc. does not intend to pursue its counterclaim separately in light of the Court's Order. Defendant BBS Technologies, Inc. moves to dismiss its counterclaim without prejudice.

DATED this 3rd day of May, 2010.

KILMER, VOORHEES & LAURICK, P.C.

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